

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 56th LEGISLATURE - REGULAR SESSION

CONFERENCE

Call to Order: By **CHAIRMAN JOHN BOHLINGER FOR SENATOR BISHOP** who was in another committee meeting that was running late but arrived during this meeting, on April 15, 1999 at 9:00 A.M., in Room 420 Capitol.

ROLL CALL

Members Present:

Sen. Al Bishop, Chairman (R)
Sen. John Bohlinger (R)
Sen. Sue Bartlett (D)
Rep. Cindy Younkin (R)
Rep. Joan Hurdle (D)
Rep. Mark Noennig (R)

Members Excused: None.

Members Absent: None.

Staff Present: John McMaster, Legislative Services
Pam Schindler, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted: HB 374, 4/14/1999
Executive Action: HB 374

CONFERENCE COMMITTEE ACTION ON HB 374

Rep. Hurdle described the intent of the bill, gave a history of the bill and informed the committee on why this hearing is important regarding the youth court and "youth's interests (being) better served".

{Tape : 1; Side : A; Approx. Time Counter : 7 - 18}

Rep. Hurdle presented amendments to **HB 374**.

EXHIBIT (cch82hb

0374a01)

Discussion:**{Tape : 1; Side : A; Approx. Time Counter : 18 - 110}**

Tammy Playable, Assist. Attorney General office explained and commented on the **Baxter** case that was recently acted upon by the Supreme Court and how it effects this bill. There was also much discussion with **Rep. Nonage** and **John MacMaster** regarding their interpretation of the **Baxter** case and the amendments regarding this bill.

{Tape : 1; Side : A; Approx. Time Counter : 110 - 207}

Gene Kiser, Montana Board of Crime Control and responded to Rep. Nonage. **Kiser** also passed out an exhibit that explained where the allocated funds are distributed.

{Tape : 1; Side : A; Approx. Time Counter : 207 - 229}**EXHIBIT** (cch82hb

0374a02)

Motion/Vote: **Rep. Hurdle** moved that **HB 374 BE AMENDED. Motion carried 5-0.**

(Sen. Bishop absent during this vote)

{Tape : 1; Side : A; Approx. Time Counter : 229 - 252}

Senator Bohlinger now addressed the issue of the "death penalty" and the age of 18 that is now part of Senate's amendment. **Senator Bohlinger** stated that it is "terribly important that we abolish the death penalty for people that are less than 18 as stated in the Senate's amendments."

Discussion: **Rep. Nonage** and **Rep. Hurdle** discussed the original bill and the age of 18. The House Judiciary committee heard the bill **Rep. Soft** that he had drafted a bill that would eliminate the death penalty for persons under 18 years of age with disability issues.

{Tape : 1; Side : A; Approx. Time Counter : 252 - 308}

Senator Bohlinger asked the committee if they were satisfied with the Senate's amendments. **Rep. Nonage** asked the question if at the time of capital offense it is important to define that it was then or at the time of sentencing; it was too vague previously.

Senator Bartlett: Moved that we **Adopt** the Conference Committee reports with the amendments previously approved.

At this time **Senator Bishop** arrived and requested the committee to inform him as to what had transpired during this meeting.

Senator Bartlett explained what had been discussed and approved.

Motion/Vote: **carried 6-0.**

{Tape : 1; Side : A; Approx. Time Counter : 308 - 375}

Senator Bohlinger adjourned the meeting.

ADJOURNMENT

Adjournment: 9:20 A.M.

Sen. Al Bishop, Chairman

Rep. Cindy Younkin, Chairman

Pam Schindler, Secretary

WM/

EXHIBIT (cch82hb0374aad)